

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-108635-003 DT

12/15/2011

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
T. Henninger
Deputy

STATE OF ARIZONA

SHANE M MILLER

v.

TODD GLEN WEISS (003)

JUSTIN BERESKY

APO-PLEAS-CCC
VICTIM SERVICES DIV-CA-CCC

PLEA AGREEMENT/CHANGE OF PLEA

10:09 a.m.

Courtroom ECB 412

State's Attorney:	Shane Miller and Christopher Rapp
Defendant's Attorney:	Justin Beresky
Defendant:	Present

Court Reporter Michael Babicky is present.

This is the time set for a Settlement Conference.

LET THE RECORD REFLECT Court and Counsel met in chambers and discussed matters off the record prior to the start of this proceeding.

A Settlement Conference is held and a Donald advisory is conducted in the jury room.

10:36 a.m. Court stands at recess in this matter.

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11:18 a.m. The matter is recalled with respective counsel. The defendant is present.

Court Reporter, Michael Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

The Defendant informs Court and counsel he wishes to proceed with the plea.

The Court reviews the Plea Agreement with Defendant. The Court advises Defendant of the range of possible sentence and the availability of probation, and any special conditions of sentencing and probation. The Court advises Defendant of all pertinent constitutional rights and rights of review.

Defendant enters a plea of Guilty to the following:

OFFENSE: Count 1 Aggravated Taking Identity of Another
Class 3 Felony
A.R.S. § 13-2009, 2001, 701, 702, 801, 301, 302, 303 and 304
Date of Offense: February 13, 2010
Non Dangerous - Non Repetitive

OFFENSE: Count 4 Possession of Drug Paraphernalia
Class 6 Felony
A.R.S. § 13-3401, 3407, 3415, 3418, 701, 702, 801 and 901.01(H)(4)
Date of Offense: February 13, 2010
Non Dangerous - Non Repetitive

IT IS ORDERED accepting the plea.

IT IS ORDERED setting time for sentencing on **January 19, 2012 at 8:30 a.m.** before this division.

IT IS FURTHER ORDERED that the following will be deemed submitted at the time of sentencing: Motion To Dismiss Counts 2, 3 and 5; MCAO will not allege Defendant's prior felony convictions as reflected in the Plea Agreement.

IT IS ORDERED the Adult Probation Department shall prepare a Criminal History only, and that Defendant shall report to the Adult Probation Department if not in custody.

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IT IS ORDERED vacating any pending dates.

IT IS ORDERED pursuant to Rule 7.2 Defendant shall not be released on bail or own recognizance at to Count 1.

IT IS FURTHER ORDERED affirming prior custody orders as to Count 4.

11:26 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.